



THIRD-PARTY PROGRAM

PROCEDURAL MANUAL

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GOVERNMENT OF THE
DISTRICT OF COLUMBIA
DC MURIEL BOWSER, MAYOR

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I. INTRODUCTION AND OVERVIEW

The Government of the District of Columbia, through the Department of Buildings (DOB), is responsible for the plan review, inspection and approval of all construction projects in the District of Columbia. Pursuant to provisions of the HomeStart Regulatory Improvement Amendment Act of 2002, codified as Title 6, section 1405.03 of the District of Columbia Code, and District of Columbia Municipal Regulations Title (DCMR) 12-A, nongovernmental persons or entities, are authorized to perform inspections and plan reviews and to certify that such work complies with the District of Columbia (DC) Construction Codes, under certain conditions.

The Third-Party Program is administered by DOB's Third-Party Program under delegated authority from the Code Official. This Manual revises and replaces all previous editions and sets forth the minimum qualifications, administrative guidelines and procedures established and implemented by DOB for Third-Party Agencies to ensure that all inspections or reviews conducted by Third-Party Agencies are at the highest professional level, and to ensure a process for verification and auditing of the Third-Party Agencies. The Manual also establishes an application process for Third-Party Agency certification.

The rules establishing the minimum requirements for Third-Party Agencies, Professionals-In-Charge, Third-Party Inspectors, and Third-Party Reviewers are set forth in DCMR 12-A. In order to clarify the requirements and procedures for DOB's Third-Party Program, and to provide DOB with the flexibility to update these requirements as necessary, DOB hereby adopts this Third-Party Program Procedure Manual, as authorized by DCMR 12-A. Pursuant to DCMR 12-A, applicants seeking to qualify as and be certified as Third-Party Agencies must comply with the qualification requirements and procedures set forth in the most current edition of the Third-Party Program Procedure Manual. See [DCMR 12-A](#).

A Third-Party Agency approved to conduct Third-Party plan review and/or inspections may be a corporate entity or partnership or sole proprietor licensed to do business in the District of Columbia. An Agency must employ or subcontract with one (1) or more qualified Professionals-In-Charge, Third-Party Plan Reviewers and/or Inspectors in each required discipline as approved by DOB based on the scope of work of the project.

An approved Third-Party Agency, with the required qualifications as outlined in Table 3.1 and in good standing, may be authorized to conduct plan review and/or inspections of projects located in the District of Columbia for compliance with the DC Construction Codes, including its referenced standards (with the exception of projects outside the scope of the Third-Party Program).

Approval by DOB to participate in the Third-Party Program shall only constitute authorization to engage in the specific activities allowed by law or regulation, or by the terms of this Manual, and all other activities are outside the scope of DOB's Third-Party Program. Activities excluded from the Third-Party Program include, but are not limited to, the following:

1. Plan reviews or inspections of work that is outside the jurisdictional authority of DOB, including but not limited to work requiring the review and/or approval of:
 - a. District Department of Energy and Environment
 - b. DC Health
 - c. Historic Preservation Review Board
 - d. U.S. Commission of Fine Arts
 - e. DC Water
 - f. Washington Metropolitan Area Transit Authority
 - g. District Department of Transportation
 - h. Properties located within a flood plain as determined by FEMA (Without written approval from DOB)
2. Authorization or approval of any modification of any provision of the DC Construction Codes
3. Authorization or approval of alternative materials, design, and methods of construction and equipment not specified in the DC Construction Codes
4. Approval of installations in vaults and other projections into public space, without written approval by the District Department of Transportation
5. Approval of site development work where jurisdictional authority is outside of the scope of DOB
6. Approval of work subject to review and approval by the Historic Preservation Review Board of the Office of Planning
7. Zoning compliance
8. Plan review or inspection of work on a development site that is completely or partially within a flood hazard area as determined by the District Department of Energy and Environment
9. Determination of the applicability of the Green Construction Code and Green Building Act Requirements

II. APPROVAL OF THIRD-PARTY PLAN REVIEW AND INSPECTION AGENCIES

A. Application Process for New Agencies

For new agencies applying to be part of the Third-Party Program, applications will only be considered from January 1st to March 1st of each calendar year. Applications will be reviewed by DOB and applicants will be notified of their status within 30 days of receipt of a complete application. See [Appendix B](#) for instructions.

By undertaking a Third-Party Inspection and/or Plan Review, the Third-Party Agency acknowledges that it is in compliance with all the conditions of the applicable District laws and this Manual.

An applicant must provide and/or state the following in support of the application:

1. A detailed statement of the Third-Party Agency's qualifications pursuant to this Manual and the HomeStart Act, including the qualifications of all Professional(s)-In-Charge, Inspectors, and/or Plan Reviewers.
2. The application for Third-Party Agencies must include a list of the Professional(s)-In-Charge, inspectors, and/or plan reviewers affiliated with the Third-Party Agency, who will certify, supervise and/or perform Third-Party Inspections and/or Plan Review.
3. A quality assurance plan that complies with Section II.D. of this Manual, that describes the method or plan that the Third-Party Agency uses to maintain the quality of all plan review and inspection services it provides.
4. A notarized sworn affidavit, signed by an authorized representative of the Third-Party Agency, attesting that the Third-Party Agency, its Professional(s)-In-Charge and/or Inspectors/Plan Reviewers will remain independent of conflicts of interest in accordance with the HomeStart Act.
5. Proof of errors and omissions insurance coverage as required by the District of Columbia.
6. Proof of licensure, professional degree, registration, and certification of Professionals-In-Charge Inspector and/or Plan Reviewers are required by the District of Columbia, the Occupational and Professional Licensing Administration (OPLA), an accredited University or College, the International Code Council (ICC), National Association of Elevator Safety Authorities (NAESA), or the Steel Tank Institute. Proof of this licensure, degree, registration and/or certification will be a condition prior to approval as a Third-Party Agency.
7. Proof of at least one Professional-in-Charge qualified in each discipline in which the Inspection Agency proposes to perform inspections and shall employ a sufficient number of qualified Inspectors and/or Plan Reviewers experienced in the inspection or plan review discipline.
8. Proof of a current General Business License.
9. The Third-Party Agency certifies that it or its agents have been found not to have committed any ethics violations.
10. Each person performing inspections and/or plan review must be currently certified by the ICC in the discipline for which they are performing analysis or inspection.

When an application is approved by DOB, the Third-Party Agency will be issued an Approval Letter and identification number as evidence that the Third-Party Agency has been certified to participate in the Third-Party Program. The Third-Party Agency has an obligation to update the DOB in writing if any material information previously submitted to the DOB in its application has changed.

B. Recertification for Previously Approved Third-Party Agencies

A person or entity who received prior approval from DOB as a Third-Party Agency who is in good standing as of the date of this Manual will be required to submit a re-certification every two (2) years, demonstrating that the Third-Party Agency complies with the terms and conditions set forth in the current edition of the Manual, the DC Construction Codes, and the HomeStart Act.

Recertification applications are to be submitted to DOB on the even number of years (i.e., 2018, 2020, etc.). The recertification of Third-Party Agencies will be submitted by using the Application

Recertification Schedule below, which is alphabetically structured. The first letter of Agency name determines what month the Recertification Application must be received.

Application Recertification Schedule

Agency Name	Application Due (Month)
A - C	January
D - G	February
H - M	March
N - Z	April

DOB in its sole discretion may provide conditional approval to the Third-Party Agency to conduct inspections and/or plan review for up to six (6) months. Conditional approvals are only valid for up to six (6) months and may not be extended. If the required documentation is submitted in a timely manner, then an approval letter will be issued. If such documentation outlined above is not submitted within the timeframe specified by the code official, the conditional approval shall be automatically revoked or suspended for the Agency, its Inspectors and/or Plan Reviewers. Conditional approvals will not be provided for the requirements of a Registered Professional-in-Charge.

C. Duty to Update Applications and Approvals

If there is a change in professional staff, an applicant for certification or an approved Third-Party Agency is required to notify the DOB Third-Party Manager in the following timeline:

1. Within five business days of the removal, addition, or change of a Registered Professional-in-Charge
2. Within five business days of the removal, addition, or change of an Inspector or Plan Reviewer

If a Registered Professional-in-Charge, Inspector, and/or Plan Reviewer is added to a Third-Party Agency, the qualifications of the added individual(s) must be provided to DOB for review and approval before he/she can begin any work under the Third-Party Program. If DOB approves the individual(s), the Third-Party Agency's authorization can be modified to add the new Professional-in-Charge, Inspector, and/or Plan Reviewer.

Failure to update information, including, but not limited to personnel changes, shall be subject to disciplinary action depending on the severity of the action as outlined in Section VIII.

D. Quality Assurance Plan

The Third-Party Agency shall create, implement and maintain a quality assurance plan that includes the method that the Third-Party Agency uses to maintain the quality of all plan review and inspection services it provides. The quality assurance plan must be submitted as part of the application for a new Agency as well as recertification of an existing Agency.

The quality assurance plan will be reviewed by DOB. A Quality Assurance (QA) Plan will not be approved by DOB unless it includes at a minimum the following elements or an equally effective QA plan:

- Establishment, dissemination, and maintenance of written QA checklist(s) setting forth the various steps that employees or contractors of the Third-Party Agency are required to follow in performing plan reviews and/or inspections.
- Establishment of a QA review process by the Third-Party Agency in which a Professional(s)-In-Charge of the Agency's plan reviewers and/or inspectors (i) conducts QA reviews based on the QA checklists for each employee or contractor performing plan reviews or inspections, at least three per calendar quarter; (ii) reports the results of the reviews in a written form which includes information on the date of the review, the person reviewed, code violations missed, any life safety errors identified during the review and any actions taken or recommended to improve the quality of the employee or contractor work, copies of these quarterly QA review checklists are to be submitted to the DOB Third-Party Program Manager by the following dates each year: December 31, March 31, June 30, September 30
- Provision of an annual summary report to the DOB Third-Party Program Manager by September 30th of each year, describing the number of reviews conducted for each employee or contractor and the results of any oversight of those reviews.
- Retention of records relating to QA reviews by the Third-Party Agency for a minimum 3- year period.
- Failure to provide the required quarterly reports or the annual summary may result in disciplinary action.

E. Conflicts of Interest

Each Third-Party Agency, Professional-in-Charge, Inspector, and Plan Reviewer shall at all times remain in compliance with the independence and conflict of interest provisions set forth in the HomeStart Regulatory Improvement Amendment Act of 2002, codified as Title 6, section 1403.01 et seq. of the District of Columbia Code. Each Third-Party Agency, Professional-in-Charge, Inspector, and Plan Reviewer is solely responsible for maintaining compliance with the conflict-of-interest provisions set forth in this Manual.

Third-Party Agencies shall remain free of conflicts of interests on projects in which it is conducting Third-Party Inspections or Plan Reviews. In order to ensure that actual or apparent conflicts of

interests do not exist, the Owner of the Project (see [Appendix A](#)) must contract with the Third- Party Plan Review Agency and/or Third-Party Inspection Agency. The following circumstances and/or activities of a Third-Party Agency constitute a conflict of interest that disqualifies the Third-Party Agency from performing any inspection/plan review on a specific project¹.

1. The Third-Party Agency is owned or controlled by any entity associated with the Project.
2. The Project Architect(s), Engineer(s) or other design professional(s) of record, or their firms have an ownership interest in the Project or the Third-Party Agency.
3. The code or zoning consultant or other specialty consultants or advisors are associated with the design of the Project or their firms.
4. The General Contractor of the Project or any of its Subcontractors maintains a financial or economic interest in or serving (with or without compensation) as an officer or director in the Third-Party Agency.
5. Any person or entity performing functions of Project Management, Construction Management, Value Engineering or Quality Control of the Project maintains a financial or economic interest in or serving (with or without compensation) as an officer or director in the Third-Party Agency.
6. Any person or entity associated with the financing of the Project maintains a financial or economic interest in or serving (with or without compensation) as an officer or director in the Third-Party Agency.
7. Any person or entity associated with the Third-Party Agency who performs legal counsel to the owner of the Project.
8. Any person or entity associated with the Third-Party Agency, who performs functions of permit expediting or acting as Owner's agent, or any other party or entity associated with advocating for the Owner's interest in the Project.
9. The Third-Party Agency has provided advisory, consulting services, and/or design services related to the Project.
10. The Third-Party Professional-in-Charge is subject to all conflicts requirements of the Third-Party Agency in which there is a business or family relationship.
11. The Third-Party Agency is conducting Plan Review and an Inspection for the same project.
12. Any other circumstances or activities not listed above that the Third-Party Manager may reasonably prove, to constitute an actual, potential or apparent conflict of interest based on consideration of specific circumstances.

F. Insurance Coverage

The Third-Party Agency shall obtain and maintain a Minimum Errors and Omissions Coverage for each occurrence in the amount of \$1,000,000 with the District of Columbia named as additional

¹ This list includes examples of conflicts of interests; however, it is not exhaustive. DOB reserves its right to investigate any allegation of an actual, potential or apparent conflict of interest of a Third-Party Agency. DOB shall issue discipline for any actual, potential or apparent conflict of interest.

insured. This requirement is not to be interpreted to mean that Errors and Omissions are required for each project. Professionals-In-Charge, Inspectors, and Reviewers who are principals of the Third-Party Agency or who are employed by, or under contract with the Third-Party Agency, shall be covered by the Third-Party Agency's insurance. The insurance shall be cancelable only after 30 days' notice to the Department of Buildings, by certified mail with return receipt, addressed to the following address or such other address as the Third-Party Manager may advise:

Third-Party Program Manager
 Department of Buildings
 1100 4th Street, SW Fourth Floor
 Washington, DC 20024 Email: DOB@dc.gov

Any cancellation of the required insurance shall result in removal of Third-Party Approvals effective on the date of the insurance cancellation. If the Third-Party Agency changes insurance providers, within 15 calendar days, the Third-Party Agency must submit updated insurance coverage to DOB. Failure to do so shall result in the Agency's removal from the Program.

III. QUALIFICATIONS OF THIRD-PARTY PLAN REVIEW AND INSPECTION AGENCIES

In order to obtain DOB approval, the Third-Party Agency must identify the Licensed Professional-in-Charge(s), Plan Reviewer(s) and/or Certified Inspector(s), who meet the qualifications for each discipline as set forth below in Table 3.1.

Once approved, the Professional(s)-In-Charge, Plan Reviewer(s) and Inspector(s) are authorized to conduct certain plan reviews and inspections as specified in Table 3.1.

Professionals-In-Charge, Plan Reviewers, and Inspectors are required to maintain and renew required licenses, certifications and/or registrations in accordance with applicable protocols from the issuing authority. It is the responsibility of each Third-Party Agency to ensure that their staff is proficient, certified and competent in the application of the DC Construction Codes for their respective disciplines.

TABLE 3.1

Mandatory Minimum Qualifications and Authorized Work		
<i>Commercial Building²</i>		
Position	Minimum Qualifications	Authorized Work

² "Building" refers to projects governed by the DC Building Code.

Building Professional-in-Charge	<ul style="list-style-type: none"> • Current registration in the District of Columbia as a Professional Engineer, Architect or current ICC Certification of Master Code Professional. • At least four (4) years of experience in the field of engineering or construction project design or construction management. • Meet the qualifications for a certified building inspector and/or certified reviewer as defined in this Manual. 	Oversee the work of the Building Plan Reviewer and Building Inspector.
Building Plan Reviewer	<ul style="list-style-type: none"> • Current ICC Certification as a (B3) Building Plans Examiner, and (21) Accessibility Inspector/Plans Examiner. • At least three (3) years of experience in building plan review in a jurisdiction using any of the ICC codes. 	Authorized to sign off on the "building review" and "structural review" for commercial and residential plans designed to the IRC or IBC.
Building Inspector	<ul style="list-style-type: none"> • Current ICC Certification as a (B2) Building Inspector, and (21) Accessibility Inspector/Plans Examiner • At least three (3) years of experience in code compliance building inspection in a jurisdiction using any of the ICC codes. 	Authorized to approve the following inspections: Commercial and residential buildings
<i>Residential Building³</i>		
Position	Minimum Qualifications	Authority
Residential Only Professional-in-Charge	<ul style="list-style-type: none"> • Current registration in the District of Columbia as a Professional Engineer or Architect or current ICC Certified Master Code Professional. • At least three (3) years of experience in the field of building design and/or construction, civil or structural engineering or construction project design and/or construction management, in a supervisory capacity. 	Oversee the work of the Residential Plan Reviewer and Residential Inspector

³ "Residential" refers to projects governed by the DC Residential Code.

Residential Only Plan Reviewer	<ul style="list-style-type: none"> • Meet the certification requirement for an (R5) ICC Combination Residential Inspector/Plan Reviewers. • Current ICC Certification as an (R3) Residential Plan Reviewer. • At least three (3) years of experience in code compliance building inspection in a jurisdiction using any of the ICC codes. 	Authorized to sign off on "building review" and "structural review" of one (1) and two (2) family dwellings built under the IRC.
Residential Only Inspector	<ul style="list-style-type: none"> • Current ICC Certification as an (R5) Residential Combination Inspector. • At least three (3) years of experience in code compliance building inspection in a jurisdiction using any of the ICC codes. 	Authorized to approve the following inspections: One (1) and Two (2) Family Dwellings built under the IRC.

Mechanical and Fuel Gas

Position	Minimum Qualifications	Authority
Mechanical Professional-in-Charge	<ul style="list-style-type: none"> • Current registration in the District of Columbia as a Professional Engineer, Architect, or current ICC Certification of Master Code Professional. • At least four (4) years of experience in the field of mechanical design, mechanical engineering, or mechanical project design, including their administrative provisions. • Meet the qualifications for a mechanical inspector and/or reviewer as defined in this Manual. 	Oversee the work of the Mechanical Plan Reviewer and Mechanical Inspector
Mechanical Plan Reviewer	<ul style="list-style-type: none"> • Current ICC Certification as an (M3) Mechanical Plans Examiner. • At least three (3) years of experience in code compliance inspection of mechanical systems in a jurisdiction using any of the ICC codes. 	Authorized to sign off on commercial or residential mechanical plans.

Mechanical Inspector	<ul style="list-style-type: none"> • Current ICC Certification as an (M1 or M2) Mechanical Inspector. • At least three (3) years of experience in code compliance inspection of mechanical systems in a jurisdiction using any of the ICC codes. 	Authorized to approve the following inspections: Residential or Commercial Mechanical Inspector
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Electrical		dependent on Certification.
Position	Minimum Qualifications	Authority
Electrical Professional-in-Charge	<ul style="list-style-type: none"> • Current registration in the District of Columbia as a Professional Engineer, Architect or current ICC Certification of Master Code Professional. • At least four (4) years of experience in the field of electrical systems design and layout, including their administrative provisions. • Meet the qualifications for an electrical inspector and/or reviewer as defined in this Manual. 	Oversee the work of the Electrical Plan Reviewer and Electrical Inspector.
Electrical Plan Reviewer	<ul style="list-style-type: none"> • Current ICC Certification as an (E3) Electrical Plans Examiner. • At least six (6) years of experience in code compliance plan review of electrical systems in a jurisdiction using any of the National Electric Code or ICC codes. 	Authorized to sign off on commercial or residential electrical plans.
Electrical Inspector	<ul style="list-style-type: none"> • Current ICC Certification as an (E1 or E2) Electrical Inspector. • At least three (3) years of experience in code compliance inspection of electrical systems in a jurisdiction using any of the ICC codes. 	Authorized to approve the following inspections: commercial or residential electrical dependent on certification.
Plumbing		
Position	Minimum Qualifications	Authority

Plumbing Professional-in-Charge	<ul style="list-style-type: none"> • Current registration in the District of Columbia as a Professional Engineer, Architect or current ICC Certification of Master Code Professional. • At least four (4) years of experience in the field of mechanical engineering or mechanical/plumbing systems design and layout in a supervisory position, including their administrative provisions. • Meet the qualifications for a plumbing inspector and/or reviewer as defined in this Manual. 	Oversee the work of the Plumbing Plan Reviewer and Plumbing Inspector
Plumbing Plan Reviewer	<ul style="list-style-type: none"> • Current ICC Certification as a (P3) Plumbing Plans Examiner, and (21) Accessibility Inspector/Plans Examiner. • At least three (3) years of experience in plumbing plan review in a jurisdiction using any of the ICC codes. 	Authorized to sign off on residential or commercial plumbing plans.
Plumbing Inspector	<ul style="list-style-type: none"> • Current ICC Certification as a (P1 or P2) Plumbing Inspector, and (21) Accessibility Inspector/Plans Examiner. • At least three (3) years of experience in code compliance inspection of plumbing systems in a jurisdiction using any of the ICC codes. 	Authorized to approve the following inspections: Commercial or residential plumbing dependent on certifications.

Fire Protection

Position	Minimum Qualifications	Authority
Fire Protection Professional-in-Charge	<ul style="list-style-type: none"> • Current registration in the District of Columbia as a Professional Engineer, Architect or ICC (FM) Certified Fire Marshall. • At least five (5) years of experience in the sections of the DC Construction Codes pertinent to Fire Protection & Life Safety systems, including its administration provisions. • Current ICC certification as a (66) Fire Inspector I and (67) Fire Inspector II. • At least three (3) years of experience in code compliance inspection of Fire Protection systems in a jurisdiction using any of the ICC codes. 	Oversee the work of the Fire Protection Plan Reviewer and Fire Protection Inspector

Fire Protection Plan Reviewer	<ul style="list-style-type: none"> • Current ICC Certification as a (F3) Fire Plans Examiner. • At least six (6) years of experience in code compliance plan review of Fire Protection & 	Authorized to sign off on Residential or commercial fire plans.
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Fire Protection Inspector	<p>Life Safety Systems in a jurisdiction using any of the ICC codes.</p> <ul style="list-style-type: none"> • Current ICC certification as a (66) Fire Inspector I and (67) Fire Inspector II. • At least three (3) years of experience in code compliance inspection of Fire Protection systems in a jurisdiction using any of the ICC codes. 	Authorized to approve the following inspections: residential or commercial fire inspections.
<i>Residential Energy</i>		
Position	Minimum Qualifications	Authority

Residential
Energy
Professional-
in-Charge

- Meet one of the following:
 - a. Current license in the District of Columbia as either a (1) Professional Engineer or Architect, and have three (3) years of relevant experience.
 - b. Current ICC Certification of Master Code Professional and have three (3) years of relevant experience.
 - c. Five (5) years of relevant experience.
- Current ICC certification as a (79) Residential Energy Inspector/ Plans Examiner.
- At least five (5) years of experience in the construction or building field working with energy-related systems (e.g. mechanical systems, lighting, energy modeling, building envelope, renewable energy).
- Review Profession-in-Charge (PIC) must attend the Residential Energy Review DOB RR13 training. Inspection PICs must attend the Residential Energy Inspection DOB RE13 training.
- Additional DOB Green Building Division administered trainings may be required.

Oversee the Residential Energy Plan Review and Residential Energy Inspector

Residential Energy Plan Reviewer	<ul style="list-style-type: none"> • Current ICC Certification as a (79) Residential Energy Inspector/Plans Examiner. • At least two years of experience in energysystems and energy efficiency in a jurisdiction using the International EnergyConservation Code (IECC). • Attend DOB Green Building Division administered trainings including but not limited to the following: <ul style="list-style-type: none"> o Residential Energy Review DOB RR13 	Review and approve the “energy review” forconstruction plans to the DC Residential Energy Conservation Code
Residential Energy Inspector	<ul style="list-style-type: none"> • Current ICC Certification as a (79) Residential Energy Inspector/Plans Examiner. • At least two years of experience in energysystems and energy efficiency in a jurisdiction using the IECC. • Attend DOB Green Building Division administered trainings including but not limited to the following: <ul style="list-style-type: none"> o Residential Energy Inspection DOB RE13 	Inspect and approve “insulation inspection”and “energy final” for construction projects required to comply with the DC ResidentialEnergy Conservation Code.
<i>Commercial Energy</i>		
Position	Minimum Qualifications	Authority
Commercial Energy Professional-in-Charge	<ul style="list-style-type: none"> • Meet one of the following: <ol style="list-style-type: none"> a. Current license in the District of Columbia as either a (1) Professional Engineer or Architect, and have three (3) yearsof relevant experience. b. Current ICC Certification of MasterCode Professional and have three (3) years of relevant experience. c. Five (5) years of relevant experience. • Current ICC Certification as a Commercial Energy (CE) Inspector/Plans Examiner with ASHRAE 90.1. 	Oversee the Commercial Energy Code Plan Reviewer and Commercial EnergyCode Inspector.

	<ul style="list-style-type: none"> • At least five (5) years of experience in the construction or building field working with energy-related systems (e.g. mechanical systems, lighting, energy modeling, building envelope, renewable energy). • Review PICs must attend the Commercial Energy Review DOB CR13 training. Inspection PICs must attend Commercial Energy Inspection DOB CE13 training. • Additional DOB Green Building Division administered trainings may be required. 	
Commercial Energy Plan Reviewer	<ul style="list-style-type: none"> • Current ICC Certification as a CE Inspector/Plans Examiner with ASHRAE 90.1.* • At least two (2) years of experience in energy systems and energy efficiency in a jurisdiction using the IECC. • Attend DOB Green Building Division administered trainings including but not limited to the following: • Commercial Energy Review DOB CR13 	Review and approve the “energy review” for construction plans to the DC Commercial Energy Conservation Code.
Commercial Energy Inspector	<ul style="list-style-type: none"> • Current ICC Certification as a (CE) Commercial Energy Inspector/Plans Examiner with ASHRAE 90.1.* • At least two (2) years of experience in energy systems and energy efficiency in a jurisdiction using the IECC. • Attend DOB Green Building Division administered trainings including but not limited to the following: • Commercial Energy Inspections DOB CE13. 	Inspect and approve the insulation installation and energy installation for construction projects required to comply with the DC Commercial Energy Conservation Code.
Green Code ⁴		
Position	Minimum Qualifications	Authority

⁴ The Third-Party Plan Review Agency conducting the “green review” must also conduct the “energy review”.

Green Professional-in-Charge	<ul style="list-style-type: none"> • Meet one of the following: <ol style="list-style-type: none"> a. Current license in the District of Columbia as either a (1) Professional Engineer or Architect, and have three (3) years of relevant experience. b. Current ICC Certification of Master Code Professional and have three (3) years of relevant experience. c. Five (5) years of relevant experience. • Current ICC Certification as an (GC) IgCC Commercial Inspector/Plans Examiner w/ASHRAE 189- GC and (CE) Commercial Energy Inspector/Plans Examiner with ASHRAE 90.1.* • At least five (5) years of experience in green building, energy systems and energy efficiency in a jurisdiction using the IECC and the IgCC. • Review PICs must attend the Commercial Energy DOB CR13 and Green Review DOB GR 13 trainings. Inspection PICs must attend the Commercial Energy Inspection DOB CE13 and Green Inspection DOB GI13 trainings. • Additional DOB Green Building Division administered trainings may be required. 	Oversee the GreenCode Plan Reviewer(s) and Green Code Inspector(s).
Green Inspector	<ul style="list-style-type: none"> • Current ICC Certification as an (GC) IgCC Commercial Inspector/Plans Examiner w/ASHRAE 189- GC and (CE) Commercial Energy Inspector/Plans Examiner with ASHRAE 90.1.* • At least three (3) years of experience in green building, energy systems and energy efficiency in a jurisdiction using the IECC and the IGCC. • Attend DOB Green Building Division administered trainings including but not limited to all of the following: <ul style="list-style-type: none"> ▪ Commercial Energy Inspection DOB CE13 ▪ Green Inspection DOB GI13 	Inspect and approving "green rough- in" and "green final" for construction projects required to comply with the DC Green Construction Code.

Green Plan Reviewer	<ul style="list-style-type: none"> • Current ICC Certification as an (GC) IgCC Commercial Inspector/Plans Examiner w/ASHRAE 189- GC and (CE) Commercial Energy Inspector/Plans Examiner with ASHRAE 90.1.* • At least three (3) years of experience in green building, energy systems and energy efficiency in a jurisdiction using the IECC and the IGCC. • Attend DOB Green Building Division administered trainings including but not limited to all of the following: <ul style="list-style-type: none"> o Commercial Energy Review DOBCR13 • Green Review DOB GR13 	Review and approve the "green review" for construction plans built to the DC Green Construction Code.
<i>Elevators (New Construction Only)⁵</i>		
Position	Minimum Qualifications	Authorized Work
Elevator Professional-in-Charge	<ul style="list-style-type: none"> • Certification for Inspections Supervisor with NAESA accredited to administer testing and certification of the QEI-1 standard published by the American Society of Mechanical Engineers (ASME QEI-1) as Inspection Supervisor or Current certification registration in the District of Columbia as a Professional Engineer • At least three (3) years of experience in building plan review in a jurisdiction using any of the ICC codes. • At least five (5) years of in-the-field experience in design, inspection, or construction management involving the installation, maintenance or rehabilitation of elevators and/or conveying systems, in a supervisory position. 	Oversee the Elevator Plan Reviewer and Elevator Inspector(s).
Elevator Reviewer	<ul style="list-style-type: none"> • Certification for Inspections Supervisor with NAESA accredited to administer testing and 	

⁵ For annual Elevator Inspections See [Appendix I](#).

Elevator Inspector	<p>certification of the QEI-1 standard published by the American Society of Mechanical Engineers (ASME QEI-1) as Inspection Supervisor.</p> <ul style="list-style-type: none"> • At least three (3) years of experience in building plan review in a jurisdiction using any of the ICC codes. • At least five (5) years of in-the-field experience in design, inspection, or construction management involving the installation, maintenance or rehabilitation of elevators and/or conveying systems, in a supervisory position. <p>• Certification with NAESA accredited to administer testing and certification of the QEI-1 standard published by the American Society of Mechanical Engineers (ASME QEI-1) as certified Elevator Inspector.</p> <ul style="list-style-type: none"> • At least three (3) years of experience in installation, repair or maintenance of elevator and/or conveying systems for an elevator contractor or under the direction of a nationally Certified Elevator Inspector.
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J. Special Inspections

DCMR 12-A §109.3.13 (2013) authorizes the Code Official to require the Owner to employ Special Inspection Agencies with adequate qualifications to inspect, at a minimum, the following types of construction and others as outlined in Chapter 17 of the International Building Code:

- Reinforced Concrete
- Reinforced Masonry
- Welding
- Precast Concrete
- Structural Steel
- Engineered Fill
- Underpinning
- Spray Applied Fireproofing
- Smoke Control Systems
- High strength Bolts
- Certain Concrete Installations
- Certain Masonry Installations
- Mastic and Intumescent Fire-Resistant Coatings

- Exterior Insulation and Finish System (EIFS) installations

The Third-Party Program Manager shall determine the qualifications of Special Inspectors, in accordance with DCMR 12-A, and Chapter 17 of the International Building Code. This Manual adopts the Special Inspection Policy Manual 2018, or any successor thereto, which can be found at [DOB.dc.gov](https://www.dob.dc.gov).

1. Special Inspector Qualification Standards (See [Special Inspection Policy Manual 2018](#)) The qualifications listed below are from the International Accreditation Service (IAS) Document AC291 – Accreditation Criteria for IBC Special Inspection Agencies and ASTM E329 for agents.

a. Experience

- i. For the experience to count toward qualifications, it must be based on verifiable work directly related to the category or type of inspection involved.
- ii. An engineering degree (Bachelor of Science) plus appropriate in-house training may be substituted for not more than one (1) year of experience. An engineering technology degree (Bachelor of Science) plus appropriate in-house training may be substituted for not more than one (1) year of experience. (A degree may not be substituted for more than half of the experience requirements in any category.)
- iii. Three (3) to five (5) or more years' experience as a qualified Special Inspector in one (1) or more categories of work may satisfy up to half of the experience requirements in any category.

b. Certification

Certification, when specified, is intended to mean successful completion of an ICC examination or an approved equivalent (e.g. WACEL, ACI, and AASHTO) appropriate to the category of work involved.

c. Special Inspector in Training

The intent of this provision is to provide practical opportunities for an inspector to gain the needed experience to qualify as a Special Inspector. An inspector who does not meet the qualifications for Third-Party Inspector may be allowed to perform "Special Inspections" at the discretion of the responsible Registered Professional Engineer in charge and with the approval of the Code Official, provided one (1) or more of the following conditions are met:

- The individual is working under direct and continuous supervision of a Special Inspector fully qualified for the type of work involved; or

- The individual is working under the indirect or periodic supervision of a special inspector, and the scope of work is minor and/or routine and within the capabilities of the individual.

2. Qualifications for Special Inspections

<i>Special Inspections</i>	
	Qualifications Criteria
Pre-Stressed Concrete	<ul style="list-style-type: none"> • Current ICC Certification as a (92) Pre-stressed Concrete Special Inspector or current Washington Area Council of Engineering Laboratories, Inc. (WACEL) certification as a Structural Concrete/Masonry Inspector. • At least two (2) years of experience under the direct supervision of a PE in structural engineering. • Maintain a minimum of two relevant Continuing Education Units (CEU) every three years.
Reinforced Concrete	<ul style="list-style-type: none"> • Current ICC Certification as a (47) Reinforced Concrete Special Inspector or current WACEL certification as a Level I Concrete Technician. • At least two (2) years of experience under the direct supervision of a Professional Engineer in structural engineering. • Maintain a minimum of two (2) relevant CEU every three years.
Non-Destructive Testing	<ul style="list-style-type: none"> • Current American Society for Nondestructive Testing (ASNT) Level II as determined by Level III Examiner and a minimum one (1) year of direct testing experience. • Personnel qualified in accordance with nationally-recognized NDT personnel qualifications practice or standard, such as ANSI/ASNT-CP-189 or SNT-TC-1. • Maintain a minimum of two (2) relevant CEU every three years.
Pier and Pile Foundations	<ul style="list-style-type: none"> • Current ICC certification as a (47) Reinforced Concrete Special Inspector or NICET III or IV or current WACEL certification as a Level II Concrete Technician.

	<ul style="list-style-type: none"> • At least two (2) years of experience under the direct supervision of a PE in structural engineering. • Maintain a minimum of two (2) relevant CEUs every three years.
Post-Installed Structural Anchors in Concrete	<ul style="list-style-type: none"> • Current ICC certification as a (B2) Commercial Building Inspector. • At least two (2) years of experience in the activity being inspected. OR A Professional Engineer and a minimum one (1) year of experience in the activity being inspected. • Maintain a minimum of two (2) relevant CEUs every three years.
Soils	<ul style="list-style-type: none"> • NICET II, III, IV, CT or ICC Certification as an (EC) Soils Special Inspector or current WACEL certification as a Level I Soils Technician. • At least three (3) years of experience directly related to soils testing and inspection under a licensed P.E. • Maintain a minimum of two (2) relevant CEUs every three years.
Spray-Applied Fireproofing	<ul style="list-style-type: none"> • Current ICC certification as an (86) Spray-applied Fireproofing Special Inspector, a current WACEL certification as a Level I Sprayed-on Fireproofing Technician or A Professional Engineer in Fire Protection. • Maintain a minimum of two (2) relevant CEUs every three years.
Bolting	<ul style="list-style-type: none"> • Current ICC certification as an (S1) Structural Steel and Bolting Special Inspector or current WACEL certification as a Level I Structural Steel Inspector. • Maintain a minimum of two (2) relevant CEUs every three years.
Welding	<ul style="list-style-type: none"> • Current ICC certification as an (S2) Structural Welding Special Inspector or current WACEL certification as a Level II Structural Steel Inspector. • Maintain a minimum of two (2) relevant CEUs every three years.
Structural Masonry Construction	<ul style="list-style-type: none"> • Current ICC certification as an (84) Structural Masonry Special Inspector or current WACEL

<p>Structural Wood Construction</p>	<p>certification as a Structural Concrete/Masonry Technician.</p> <ul style="list-style-type: none"> • Maintain a minimum of two (2) relevant CEUs every three years.
<p>Smoke Control</p>	<ul style="list-style-type: none"> • Current ICC Certification as a (B2) Commercial Building Inspector and (B2) Residential Building Inspector. • Maintain a minimum of two (2) relevant CEUs every three years.

IV.DUTIES AND RESPONSIBILITIES OF A THIRD-PARTY AGENCY

A. Notice of Intent to Use a Third-Party Agency

Before commencing work on a project, an executed Notice of Intent (NOI) to use a Third-Party Agency must be approved by DOB. The Owner must execute the NOI, but the Third-Party Agency may submit the NOI to DOB as a designated Agent of the Owner. If the Owner is not the signing party, a notarized letter confirming the Agent's authority and identity must be attached to the NOI. Forms can be found under [Appendix C1](#) and [Appendix C2](#).

B. Duties of the Registered Professional-in-Charge

The Registered Professional-in-Charge must provide direct supervision of all Inspections or Plan Reviews conducted by the Third-Party Agency. The Professional-in-Charge is responsible for ensuring that each Third-Party Plan Reviewer and/or Inspector is approved to conduct plan review and/or inspections for each applicable discipline.

C. Training

All Third-Party Agencies including Inspectors, Plan Reviewers, and Professionals-In-Charge must attend DOB mandatory trainings as scheduled. Failure to attend mandatory trainings will be subject to disciplinary action as described in Section VII. Advance notice of the training will be provided to all Third-Party Agencies.

All Third-Party Agencies must provide proof of completion of a minimum of four (4) hours of an approved ethics training biennially, which must include one (1) hour of ethics training provided by the DC Board of Ethics and Government Accountability.

Third-Party Agencies are responsible for providing appropriate continuing education and training to their employees.

D. Plan Review Reports

1. Provide Complete and Timely Plan Review Reports

The Third-Party Review Agency shall submit the following completed reports to DOB for each Project. The Third-Party Manager, within his/her sole discretion, may modify the reporting requirements and procedures in writing as deemed necessary. The Plan Review Report shall include a Plan Review Approval Certification Cover Letter. See [Appendix D](#).

2. Plan Review Code Deficiency Report

The Third-Party Plan Review Agency shall complete a Plan Review Code Deficiency Report, containing a list of non-complying items (the "Code Deficiency Report") for each round of review and the relevant code section(s). The Code Deficiency report shall be in the format defined by DOB. The architect, engineer or design professional shall make changes in a standardized format with key-dated notes and changes clouded on the approved plans. See [Appendix E](#). At a minimum, the Code Deficiency Report shall specify a building code summary that depicts certain elements of the project under construction:

- Project address
- Occupancy classification
- Type of construction
- Allowable area
- Required yards
- Building fire resistive rating and exterior wall rating
- Design Occupant Load
- Third-Party Plan Review Agency's name and address
- Notice of Intent Number(s)
- Discipline(s) for which the plan review was performed
- Name and contact information of the approved Registered Professional-in-Charge and Plan Reviewers completing the review for each applicable discipline
 - If another DOB-approved Agency was used as a subcontractor to complete a review (e.g., green review), include information on the Agency, PIC and plan reviewer
- List of items found to be non-conforming citing the applicable code sections
- The nature of the deficiency and the location of the deficiency in the plans
- Corresponding response from the design professional confirming how and where the non-conforming items were corrected, as well as the date they were corrected.

The Third-Party Plan Review Agency shall submit copies of each Code Deficiency Report to the Owner or the Owner's designated recipient(s). The Third-Party Plan Review Agency shall communicate with the Owner or its designated representatives as necessary to clarify and ensure the non-compliant items are corrected and in full compliance with the DC Construction Codes. It is the duty of the Third-Party Plan Review Agency to ensure all identified code deficiencies are

3. Third-Party Plan Review Approval Certification Letter and Report

The Third-Party Plan Review Approval Certification Letter and Report shall be sealed and signed by the Professional-in-Charge and must be submitted in a PDF format. The Certification Letter shall specify:

- Project address
- Third-Party Plan Review Agency's name and address
- Notice of Intent Number(s)
- Discipline(s) for which the plan review was performed
- Name and contact information of the approved Professional(s)-In-Charge and Plan Reviewer(s) signing off on the review for each applicable discipline
 - If another approved Agency was used as a subcontractor to complete a review (e.g., green review), include information on the Agency, PIC and plan reviewer
- A copy of all Code Deficiency Reports issued by the Third-Party Agency and subcontractors, if applicable
- A statement testifying to the compliance of the Discipline's plans for the Project with construction documents, specifications and all regulations of the District of Columbia.

E. Inspection Reports

The Third-Party Inspection Agency must submit inspection reports to the Owner or the Owner's designated recipient(s), and DOB for review and approval using the Tertius platform. Below are the required reports that must be submitted to DOB within three (3) business days of the inspection:

1. Non-Compliance Report

The Inspection Agency shall produce a report that contains a specific list of non-complying items for each inspection. The report will list the required corrections that are a pre-requisite to the approval of a phase of construction. For each item designated non-compliant, the report shall cite the relevant code section(s), the nature of the deficiency and the location of the deficiency. These reports shall be submitted to the Owner or the Owner's designated recipient(s), and DOB under the corresponding permit. The report shall be on the Third-Party Agency's letterhead in a PDF file. The report shall specify details specified in [Appendix F](#).

- Project address
- Building permit number
- Inspection Agency's name and address
- Name and contact information of the approved Third-Party Professional-in-Charge and Inspectors who completed inspections

- If another approved Agency was used as a subcontractor to complete any inspections (e.g., green code inspections), include information on the Agency, PIC and inspector.
- Type of inspection performed
- Phase of the project if a partial inspection is conducted
- List of items found to be non-compliant during the inspection citing the code reference
- Corresponding response from the construction team confirming how and where the non-conforming items were corrected, as well as the date they were corrected.

The Inspection Agency shall communicate with the Owner, the Owner's contractor(s), agent(s) and/or designer(s) of record, to identify the needed corrections to accomplish code compliance. The Inspection Agency or DOB shall bring the noted corrections to the attention of the Owner, Contractor or responsible person in charge so that a plan revision may be made accordingly. It is the duty of the Third-Party Inspection Agency to ensure all identified code deficiencies are corrected before the inspection is approved. Under no circumstances is the Inspection Agency authorized to advise or participate in a modification of the District's regulations. The ruling on any modification and/or interpretation must always be determined by the Code Official.

2. Reports Submission Requirements

Third-Party Agencies shall upload reports to Tertius.

- a. **Wall Check Survey** reports that are required shall be verified as approved by the Office of the Zoning Administrator prior to any above grade inspection approvals granted.
- b. **Field Reports** shall be submitted via Tertius on Third-Party letterhead and within (3) three business day of the inspection. All information shall be complete along with the clearly printed name and signature of the Inspector. Reports shall be grouped by address and include only one (1) address per attachment. The Third-Party Agency is not required to submit copies of the permit.
- c. **Rough Inspection Reports** shall be submitted via Tertius on Third-Party letterhead and submitted within three (3) business days of the inspection. All information shall be complete along with the signature of the Inspector and the stamp and signature of the Professional-in-Charge. The Third-Party Agency can only submit one (1) trade per Inspection Report. Reports shall be grouped by address and include only one (1) address per attachment. The Third-Party Agency is not required to submit copies of the permit.
- d. **Temporary Pending Final (TPF) Inspection Reports** shall be scheduled and reported via Tertius using the Third-Party Inspection Completion Certification within three (3) business days of the inspection. A notification is to be sent to DOB@dc.gov for TPF processing. All information submitted

shall include the signature of the Inspector and the stamp of the Professional-in-Charge. TPF reports shall be identified by the address. The Third-Party Agency is not required to submit copies of the permit. The Inspection Field Report and the Notice of Intent must be submitted via Tertius.

- e. **Final Inspection Reports** shall be submitted via Tertius and shall be submitted in the approved format within three (3) business days of the inspection. All information submitted shall include the signature of the Inspector and the stamp of the Professional-in-Charge. The Third-Party Agency can only submit one (1) trade per Inspection Report. Reports shall be grouped by address and only one (1) address per attachment. The Third-Party Agency is not required to submit copies of the permit. An Inspection or Field Report and the Notice of Intent must be submitted via Tertius. All deficiencies identified in oversight inspections performed by DOB shall be brought into compliance, re-inspected and re-certified. Additionally, the final Inspection Certificate Report shall include an attachment noting how all the identified oversight items have been abated and are in full compliance with the DC Construction Codes.
- f. **Certificate of Occupancy Reports** shall be submitted via Tertius and shall be submitted in the approved format within three (3) business days of the inspection. All information submitted shall include the signature of the Inspector and the stamp of the Professional-in-Charge. Reports shall be grouped by address and only one (1) address per submittal. The Third-Party Agency is not required to submit copies of the permit. All deficiencies identified in oversight inspections performed by DOB shall be brought into compliance, re-inspected and re-certified. Additionally, the Final Inspection Certificate Report shall include an attachment noting how all the identified oversight items have been abated and are in full compliance with the DC Construction Codes.
- g. **Elevator Annual Reports** shall be sent to DOB@dc.gov
- h. **Special Inspections Reports** shall be sent to DOB@dc.gov see Special Inspections Policy Manual 2018.

3. Inspection Certificate Report

The Third-Party Agency must submit an Inspection Certificate Report to DOB. The Inspection Certificate Report shall be in the approved format and submitted via Tertius in a PDF file. The Inspection Certificate Report must contain the Professional-in-Charge seal. See [Appendix G1](#).

F. Project Documents

The Third-Party Agency shall agree to exercise due diligence in the safekeeping of any project documents received from the Owner and to return promptly any requested documents to DOB or the Owner upon request. The drawings, specifications and electronic files in all types of media, or other materials received by the Third-Party Agency in connection with the performance of any work under the Program may be protected

by copyright law and shall remain the property of DOB or the Owner. Copies of plans utilized by a Third-Party Plan Review Agency shall be solely for the purpose of completing the Third-Party Plan Review Agency's work under the program and

not for any other purpose. The Third-Party Plan Review Agency agrees to treat such materials as restricted information. Copies of Plan Review documents shall be kept in accordance with the District of Columbia's [Records Retention Schedule](#).

G. On-Site Records

When conducting inspections, the Third-Party Agency must verify and assure all approved plans, permits, On-Site Inspection Record Cards and shop drawings and required documents issued by DOB, are properly posted on the site. Upon completion of an inspection, the Third-Party Agency must sign and date the On-Site Inspection Record Card in a clear and readable manner with the name of the Inspector written beside their signature.

H. Internal Quality Assurance

The Third-Party Agency shall comply with the approved quality assurance plan, including by ensuring that its personnel and/or agents are subject to internal performance evaluations conducted by the Third-Party Agency and submitting the required annual summary report to the DOB Third-Party Program Manager describing the number of reviews conducted for each employee or contractor and the results of those reviews. The Third-Party Agency shall maintain all records regarding the evaluation, certifications, and continuing education requirements of its personnel and/or agents. The Third-Party Agency must maintain a tracking system to monitor the submissions of all documents required by the Third-Party Program.

I. Tertius Application

Tertius is an online marketplace platform where customers (project owners) are able to connect with Third-Party Inspection Agencies (TPIA) to obtain construction inspections. The Owner/Owner's Agent will invite TPIAs to supply pricing for work on their projects. The use of Tertius is mandatory starting November 1, 2021.

Tertius Registration Procedures

- 1) Register your agency with Tertius and create your TPIA User Profile
 - a) Minimum required information:
 - i) Office Contact (Name, email, office phone number, and cell phone number)
 - ii) Quality Assurance Plan
 - iii) Signed Conflict of Interest Affidavit
 - iv) Current Insurance Policy
 - v) Staff names, cell phone number and qualifications/certifications

Third Party Operational Responsibilities

- 2) Respond to all proposal requests.
- 3) Once a proposal is accepted by the Owner /Owner's Agent, upload the signed Notice of Intent (NOI) form under that project. A TPIA number will be automatically created in Accela.

- 4) The Third-Party Agency is responsible for coordinating and scheduling the inspections with the customer. All inspections shall be scheduled through Tertius.
- 5) The TPIA is to result and upload the inspection field report once inspection is completed. The field report is to be under the TPIA letterhead and submitted within three business days of the inspection.

Field Reports for Third-Party Partial Submission file name requirement:

address_inspection type_inspection date_location_pass/fail

Examples:

1100 4th St SW_RoughElec_9.28.21_2Floor_pass

1100 4th St SW_FinalMech_9.28.21_1-4Floor_fail

Field Report for Third-Party Complete or Third-Party Failed file name requirement:

address_inspection type_inspection date_pass/fail

Examples:

1100 4th St SW_FinalBuild_9.28.21_pass

1100 4th St SW_Insulation_9.28.21_fail

- 6) At the completion of the rough-in and final inspections, the TPIA is to also upload the Inspection Completion Certification found in Appendix G1 within three business days of the last inspection.

Third-Party Inspection Completion Certification for Conditional CO file name requirement:

address_CondCert_Inspection type_inspection date_location_pass/fail

Examples:

1100 4th St SW_CondCert_RoughElec_9.28.21_2Floor_pass

1100 4th St SW_CondCert_FinalMech_9.28.21_1-4Floor_fail

Third-Party Inspection Completion Certification for Final CO file name requirement:

address_FinalCert_Inspection type_inspection date _pass/fail

Examples:

1100 4th St SW_FinalCert_RoughElec_9.28.21_pass

1100 4th St SW_FinalCert_FinalMech_9.28.21_fail

- 7) At the completion of the project, the Third-Party Certificate of Occupancy Certification found in Appendix G2 is to be uploaded with the final field reports, and Third-Party Inspection Completion Certification.

Third-Party Inspection Certificate of Occupancy Certification:

address_COCert_inspection date

Examples:

1100 4th St SW_COCert_ 2.28.21

Third-Party Inspection Certificate of Occupancy Certification for Conditional CO:

address_CCOCert_inspection date

Examples:

1100 4th St SW_CCOCert_ 2.28.21

- 8) If the customer is applying for a Conditional Certificate of Occupancy, the TPIA is to upload the conditional CO recommendation letter in addition to the items listed under 7.

DOB will review the reports for thoroughness and approve, or deny, acceptance of the submission. Approval of the final reports by DOB completes the building permit in DOB systems (with exception of the Conditional Certificates of Occupancy).

The entire project shall be managed by the TPIA through the Tertius platform, including proposal, scheduling, report submittal, communications with DOB or the customer, and invoicing and payment. The TPIA is not allowed to withhold reports for payment.

Scheduled inspections and corresponding reports are will be automatically transferred to DOB systems, Accela Mobile Office (AMO) will not be required.

V. DOB OVERSIGHT PROTOCOL FOR THIRD-PARTY AGENCIES

In order to provide oversight of the Third-Party Program, DOB will conduct periodic and random audits of all approved Third-Party Agencies to determine compliance with the requirements of the Third-Party Program. The responsible person within the Third-Party Agency shall be accessible to DOB during normal business hours and shall allow access by DOB personnel to conduct compliance reviews and audits of the Agency. The Third-Party Agency shall cooperate with DOB in any audit or compliance review or face disciplinary action including removal from this program.

Plan Review Audit Protocol

- Each approved Third-Party Plan Review Agency shall be audited annually by DOB on projects for which it is providing plan review services.
- Newly approved plan reviewers will receive an audit by DOB for the first seven (7) consecutive reviews he/she conducts. This also applies to plan reviewers who have been newly approved for a new plan review discipline such as green or energy inspections.

Inspections Audit Protocol

- Each approved Third-Party Inspections Agency shall be randomly audited annually by DOB on projects for which it is providing inspection services.

- Newly approved inspectors shall be audited by DOB randomly with the exception of Green and Energy. Newly approved inspectors for green or energy inspections shall be audited by DOB for the first seven (7) consecutive sites that he/she inspects.

Non-Compliance Protocol

- When a DOB auditor finds initial non-compliance in plan review or inspections, an additional two (2) projects assigned to the same plan reviewer or inspector shall be audited by DOB.
- After three (3) consecutive non-compliant projects, the plan reviewer or inspector shall receive DOB audit for a minimum of the next seven (7) plan reviews or inspections, before resuming sampling of one (1) out of every seven (1/7) rate. The Third-Party Agency in which the plan reviewer or inspector is employed will receive an appropriate discipline notice per Section VIII and IX, depending on the seriousness of the non-compliant issue.
- After seven (7) or more consecutive additional failures, the plan reviewer or inspector will no longer be approved to conduct plan reviews or inspections for the specific discipline that he/she received seven (7) failed audits until he/she has received adequate training as prescribed by DOB in coordination with the Third-Party Agency. The Third-Party Agency employing the plan reviewer or inspector will receive a discipline notice according to Section VIII, depending on the seriousness of the non-compliant issue.
- If a Professional-in-Charge has two (2) or more plan reviewers or inspectors under their direct supervision that receive seven (7) consecutive non-compliant audits, he/she can no longer be a Professional-in-Charge for that specific discipline. The Third-Party Agency employing the Professional-in-Charge will receive a discipline notice according to Section VIII, depending on the seriousness of the non-compliant issue.

VI. DUTIES AND RESPONSIBILITIES OF THE DOB THIRD-PARTY PROGRAM

The DOB Third-Party Program is required to ensure that all plans and construction work meet the requirements of the DC Construction Code (DCMR 12). This includes establishing qualifications for participation in the Third-Party Program, and to monitor performance by approved Agencies so that Agencies who fail to meet Program requirements are disciplined, suspended or removed from the Program. The following is required:

1. Maintain the Third-Party Program Manual and update as required.
2. Review, approve or disapprove all Third-Party Agency Applications and re-certification applications.
3. Review, approve or disapprove the owner's NOI to use a Third-Party Agency within (5) five business days of submission of a complete application.

4. Rescind the Notice of Intent on any Project assigned to a Third-Party Agency after determining non-compliance with this Manual or violations of the Construction Codes resulting in a Class 1 disciplinary action as in Section VIII.
5. Perform compliance review and audits of the Third-Party Agencies as described in the Manual.
6. Hold regular meetings with Third-Party Agencies to share new information, changes, and provide an open forum for discussion regarding the concerns of the agencies and their clients.
7. Review Inspection and Plan Review Reports for quality assurance.
8. Confirm submission by each Third-Party Agency of the annual summary of quality assurance reviews of employees and contractors undertaken pursuant to the approved quality assurance plan.
9. Create and maintain a current and accurate list of all Third-Party Agencies to be made publicly available on the DOB website.
10. Manage Tertius, register and provide training to DOB approved Third-Party Agencies on how to effectively use the platform. Reference the Tertius User Guide for additional guidance.
11. Issue disciplinary actions based on the process outlined in this Manual under section VIII.

VII. DUTIES AND RESPONSIBILITIES OF THE PROJECT OWNER

A. Execution of Notice of Intent (NOI)

The Owner may elect at the beginning of a Project to use a Third-Party Agency for plan review and/or inspection in lieu of DOB. To use a Third-Party Agency, the Owner or designated Agent of the Owner must fully execute, sign and submit an NOI Application to use a Third-Party Agency and wait for DOB's review and approval of the NOI before commencing plan review and/or inspections on a project. A notarized letter confirming the Agent's authority and identity must be attached to the Notice of Intent if the Owner is not the signing party. DOB shall review the Notice of Intent to ensure compliance with this Manual and shall grant approval or disapproval within five (5) business days. If the NOI is incomplete or incorrect, DOB will request additional information.

B. Conflict of Interest Between Inspections and Plan Review Agencies

To ensure compliance with the Conflict of Interest requirements, the Owner must identify separate entities to conduct the plan review and the inspections for a single project. A Third-Party Agency cannot perform Third-Party Inspections and Plan Review for the same Project. A Project that is subject to the District of Columbia Residential Code or is an R2, R3, or R4 occupancy as defined by the District of Columbia Building Code cannot use multiple inspection agencies.

All other projects are permitted to use multiple inspection agencies for Special Inspections, upon prior approval from the Third-Party Manager. A separate Special Inspections Notice of Intent signed by all parties must be submitted to the Third-Party

Manager for approval. Inspections cannot occur until the Third-Party Manager approves the Notice of Intent. See [Appendix H](#).

A Special Inspections preconstruction meeting is required for every project over three (3) stories in height or that is required to be constructed under the Special Inspections Program Manual (e.g. underpinning). The Chief Building Official may require a preconstruction meeting for other projects based on the design complexity.

Where multiple Inspection Agencies are approved by the Third-Party Manager, a primary approved Inspection Agency shall be designated. This primary Inspection Agency shall have total responsibility for the coordination of all inspection agencies designated for the Project.

C. Scheduling of Inspections and Request for Inspections

The Owner is responsible for scheduling all Third-Party Inspections. The Third-Party Inspection Agency shall have TPIA approval prior to performing any inspections on the respective discipline.

D. Payments to Third-Party Agencies

The Owner or his/her authorized representative is responsible for all payment for services provided by the Third-Party Agency. DOB is not a party to the contract between the Owner and the Third-Party Agency. All fees and costs associated with the performance of a Third-Party Agency are the sole responsibility of the Owner. If the Owner elects to use a Third-Party Agency, he/she shall not be entitled to a refund of any portion of the permit fee paid to DOB. Any monetary claims that arise from incomplete, inaccurate or defective plan reviews and/or inspections provided by the Third-Party Agency shall be remedied without cost to DOB.

VIII. THIRD-PARTY PROGRAM DISCIPLINARY PROCESS

DOB is authorized to discipline or remove a Third-Party Agency from the Third-Party Program for failure to comply with this Manual or the Construction Codes. Failure to comply with the Third-Party Program may result in disciplinary actions that may include, but are not limited to the following: warning, probation, suspension, and/or removal. This Manual sets forth the policies and procedures for imposing discipline.

DOB, within its sole discretion, shall issue disciplinary actions against a Third-Party Agency and its agents. Specifically, DOB is authorized to issue discipline against a Third-Party Agency for actions associated with the Agency, plan review, and inspection activities for individual actions based on the trade activity.

It is the duty and responsibility of DOB and Third-Party Agencies to ensure that all construction in the District of Columbia is built in compliance with the DC Construction Codes. It is incumbent on the Third-Party Agencies to appreciate the unique relationship it has with DOB and the District's residents and businesses. In order to ensure that a Third-Party Inspection Agency or Plan Review Agency is acting on behalf of the District of Columbia in its discharge of its duties, the Inspector or Plan Reviewer is obligated and required to report any instance in which he or

she has reasonable cause to believe that a DC construction code violation has occurred within the building, structure or premises rendering it unsafe, dangerous or hazardous, whether or not it is outside of the Inspector or Plan Reviewer's contractual relationship. Therefore, to avoid Third-Party Agencies focusing on the financial benefits of the Third-Party Program and their relationships with their developers, owners, or expeditors, DOB will ensure that all Third-Party Agencies inspect or review the entire project for code compliance. Failure to do so may result in disciplinary action.

A. Disciplinary Violations

Class 1 Violations

Class 1 violations are the most serious violations warranting disciplinary action including failure to comply with administrative procedures, protocols, and substantive rules that may immediately impact the health, safety, and/or welfare of the public. A Class 1 violation can result from, but is not limited to, the following conduct:

- 1.1** An ethical violation by any reviewer or Agency on a Third-Party Project such as acceptance or offering of a bribe or making a threat.
- 1.2** Altering or falsifying any reports, documents, or plans on a project, as documented by the owner or the contractor or another person with credible knowledge of such an event.
- 1.3** Misrepresentation of information required for qualification or certification.
- 1.4** Failure to properly document and cite code violations that pertain to fire and life safety and/or welfare of the public. These may include but are not limited to, fire-resistance-rated construction, fire stopping, and smoke control systems, means of egress, fire suppression systems, fire alarm systems, structural elements or accessibility.
- 1.5** Performing reviews and/or inspections while on suspension.
- 1.6** Failing to detect dangerous conditions during plan review or inspection.
- 1.7** Failing to detect the need for fire sprinkler/standpipes.
- 1.8** Failing to check for all applicable documents associated with the discipline in which the Third-Party Agency is performing (e.g., a soil report, special inspection, etc.).
- 1.9** Failure to perform adequate Third-Party Plan Review or Inspection in a Discipline in accordance with the Construction Codes or failure to inspect work according to approved construction documents.
- 1.10** Failure to abide by the conflict of interest provisions as contained in this Manual.
- 1.11** Performing inspections and/or reviews without DOB Third-Party approval as an Agency, Reviewer, and/or Inspector.
- 1.12** Failure to submit any requested documents to DOB within a reasonably prescribed time frame.
- 1.13** Failure to exercise due diligence in safe keeping of any project documents.
- 1.14** A Third-Party Agency's failure to identify and ensure through its plan review or inspection services that all construction activity is in compliance with the DC Construction Codes and is performed in a manner conducive to completion in accordance with the District of Columbia approved plans or building codes.

- 1.15** Conducting inspections on sites with posted Stop Work Orders.
- 1.16** Providing inspection services prior to the issuance of a permit or approved shop drawings.
- 1.17** Failure to maintain the required insurance

Class 2 Violations

Class 2 violations are serious conduct warranting disciplinary action including failure to comply with administrative procedures, protocols, and substantive rules that are egregious in nature but do not immediately impact the health, safety, and/or welfare of the public. A Class 2 violation can result from, but is not limited to, the following conduct:

- 2.1** Failure to fully document plan review and/or inspection results as required by the Third-Party Program Manual.
- 2.2** Failure to adhere to stated plan review and/or inspection criteria or any District of Columbia governing specification or ICC standards.
- 2.3** Failure to declare a conflict of interest.
- 2.4** Failure of a Plan Review Agency to ensure that all documents are reviewed for compliance with Construction Codes or regulations.
- 2.5** Failure of the Inspection Agency to review the approved plans on site at the time of the inspection.
- 2.6** Failure of a Third-Party Agency to update DOB with current information regarding its Professionals-In-Charge, Inspectors, and/or Plan Reviewers.
- 2.7** Failure to cooperate fully with the Third-Party Manager conducting a compliance review, audit, or investigation.
- 2.8** Failure to maintain required insurance.
- 2.9** Failure to attend required training or meetings.

Class 3 Violations

Class 3 violations are minor offenses that impact the efficiency and overall performance of the Third-Party Agency Program, are the least severe, and encompass failure to comply with basic administrative procedures and review protocols but do not impact the health, safety, and/or welfare of the public. A Class 3 violation can result from, but is not limited to, the following conduct:

- 3.1** Failing to obtain an approved NOI from the owner prior to beginning the Plan Review or Inspection.
- 3.2** Failure to provide an appropriate approval stamp to signify the specific personnel performing the plan review task.

B. Discipline Procedures

DOB shall take the following steps in ensuring compliance with the Third-Party Program, if there is a determination that misconduct has occurred. Upon receipt of a complaint or as part of its compliance oversight, the Third-Party Manager shall conduct an investigation to determine if the Third-Party Agency acted improperly. Upon determining that the Third-Party Agency is not in compliance with this Manual or District law, DOB shall in its sole discretion conduct an investigation that may include, but is not limited to, the following

Effective October 2022 (Revised October 1, 2022)

- 1.** Upon making a determination of a violation, the Third-Party Manager shall issue a written letter via first-class mail and/or e-mail to the Third-Party Agency and the Owner of the Project stating the basis for the disciplinary action and the Class violation.
- 2.** Once the Third-Party Agency has been given notice, the Third-Party Agency may appeal the decision within ten (10) business days of the date of official notification of an impending disciplinary action to the Director of DOB. The Third-Party Agency may submit evidence supporting its position to the Director of DOB. Failure to file a written appeal within the ten (10) business days will result in the issuance of the disciplinary action.
- 3.** All appeals shall be heard by the DOB Director or his/her designee. The Director of DOB shall issue his/her final decision on the appeal within ten (10) business days.
- 4.** Decisions by DOB Director regarding appeals are final.

APPENDIX A

Third-Party Definitions

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APPENDIX A DEFINITIONS

Accela Mobile Office (AMO): Existing platform used by TPIAs to schedule and submit their inspection reports for projects where the Notice of Intent was acquired through AMO. This platform is being phased out.

Building Code: The current International Building Code (IBC) as amended by DCMR 12-A.

Code Official: The Code Official is the Director of DOB or his or her designee.

Construction Codes: Collectively, the DC Building Code, DC Residential Code, DC Electrical Code, DC Fuel Gas Code, DC Mechanical Code, DC Plumbing Code, DC Property Maintenance Code, DC Fire Safety Code, DC Energy Conservation Code, DC Green Construction Code and Existing Building Code, as defined in DC Municipal Regulations Title 12-A, §§101.2-101.4.8 (2013).

Construction Documents: Construction Documents shall have the same meaning as defined in 107.2.1 -107.2.5 of the International Building Code and DC Municipal Regulations Title 12-A (2013).

DC Building Code: The current International Building Code (IBC) as amended by DCMR 12-A (2013) (the "Construction Code Supplement").

DC Construction Code Supplement: The applicable version of DC Municipal Regulations Title 12A (2013).

Department or DOB: The District of Columbia Department of Buildings.

Discipline Notice: DOB's formal notification to a Third-Party Agency of its intent to impose a disciplinary action on the Third-Party Agency, its agents, or personnel.

HomeStart Act: The HomeStart Regulatory Improvement Amendment Act of 2002, codified as title 6, section 1403.01 et seq. of the District of Columbia Code.

International Code Council (ICC) Certification: Voluntary certifications issued by the ICC. The ICC Certification is based on the results of one (1) or more examinations administered by the ICC to establish proficiency in professional categories.

ICC Continuing Education Unit (CEU): A type of continuing education unit (CEU), as recognized by the ICC. Ten hours of continuing education participation equals one (1) ICC CEU. For example, a typical one-day seminar has 6 hours of instruction or 0.6 CEUs. Credit is awarded for a variety of activities wherein the objective is achieving relevant professional knowledge beyond that required for initial certification.

Non-Compliance: One (1) or more significant code violations are found during the DOB plan review or inspection audit.

Non-Compliance Report: A list of non-complying items prepared by the Third-Party Agency submitted to DOB.

On-Site Inspection Record: A card posted or otherwise made available by the permittee to allow the Professional-in-Charge to make entries regarding Third-Party Inspections of the Project until final approval is granted by the Code Official.

Owner: The Owner of the property.

Owner of the Project: Any person, agent, firm or corporation having a legal or equitable interest in the property. This could be the actual owner of the property as recorded with the District of Columbia land records or the tenant of a property or building space as documented in a contractual arrangement (lease).

Permit Applicant: The person or entity, either an Owner or representative/agent of the Owner, who applies for and to whom construction permit(s) related to the Project are issued.

Plan Review Code Deficiency Report: A list of non-complying items prepared by the Third-Party Agency following a Third-Party Plan Review submitted to DOB.

Probation: A period of time in which the Third-Party Agency will have all submissions monitored by DOB. The exact term of which will be determined through either disciplinary action(s) and proceedings or the first-time entry into the program.

Removal: The termination of the Third-Party Agency, its agents or personnel are removed from the Third-Party Program.

Special Inspections: Field inspections of certain types of construction, in accordance with the DC Municipal Regulations (DCMR) Title 12A §§ 106.3 and 109.3.13 (2015), Chapter 17 of the International Building Code, and the Special Inspections Manual – 2018 requiring specialized expertise, including reinforced concrete, reinforced masonry, reinforced gypsum, welding, precast concrete, structural steel, and engineered fill.

STI/SP-0011 Certification: Voluntary certification issued by the Steel Tank Institute (STI), an organization established in 1916, and in 2004 merged with the Steel Plate Fabrication Association (SPFA), which was established in 1934. STI/SPFA is the Trade Association representing fabrications of steel construction products including Shop Fabricated and Field Erected Tank Pipes, Premier Vessel and other special fabrications. They provide a source for standardizing steel construction in educational training and certification to ensure safe installation and operation of steel tanks.

Suspension: A period of time that the Third-Party Agency, its agents, or personnel cannot perform Third-Party functions.

Tertius: An online marketplace platform where customers (project owners) connect with Third-Party Inspection Agencies (TPIA) to solicit pricing and contract for construction inspection services. A Notice of Intent is required and TPIAs will submit agency documentation and all reports via Tertius. Tertius replaces the use of AMO and is mandatory for TPIA use for new projects starting November 1, 2021.

Warning: DOB formal notification to a Third-Party Agency of failure to comply with this Manual or the Construction Codes. This is a precursor to disciplinary action.



DEPARTMENT OF BUILDINGS

1100 4th Street SW, Washington, DC 20024

dob.dc.gov | dob@dc.gov | 202.671.3500

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